

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA,	)	
	)	
	)	
	)	Plaintiff,
	)	
vs.	)	No. 8-CV-50008
	)	
YOUNG CONSTRUCTION & PAVING, LLC; KAREN B. YOUNG; GORDON T. YOUNG; JEFFREY D. YOUNG; MONICA L. YOUNG; JOSEPH WELLS; TERRI WELLS; LUKE D. VANDER BLEEK; and JOAN L. VANDER BLEEK,	)	
	)	
	)	Defendants.
	)	
and	)	
	)	
JOSEPH WELLS; TERRI WELLS; LUKE D. VANDER BLEEK; and JOAN L. VANDER BLEEK,	)	
	)	
	)	Counter-Plaintiffs/Third-Party Plaintiffs,
	)	
vs.	)	
	)	
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA,	)	
	)	
	)	Counter-Defendants,
	)	
and	)	
	)	
TRISSEL, GRAHAM AND TOOLE, INC., a corporation, DANIEL CURRAN, and ROGER A. COLMARK,	)	
	)	
	)	Third-Party Defendants.

**MOTION FOR LEAVE TO FILE A SECOND AMENDED COUNTERCLAIM**

NOW COME the Counter-Plaintiffs, JOSEPH WELLS, TERRI WELLS, LUKE D. VANDER BLEEK, and JOAN L. VANDER BLEEK, by RENO & ZAHM LLP, by Robert A.

Fredrickson and Jack D. Ward, and for their Motion for Leave to File a Second Amended Counterclaim, and in support of said motion states as follows:

That based on the deposition testimony of Roger Colmark and Daniel Curran, additional facts have been elicited which bear on the issues which are the subject of the Counterclaim.

WHEREFORE, the Counter-Plaintiffs pray that the Court grant them leave to file instant the Second Amended Counterclaim attached hereto.

Dated this \_\_\_\_\_ day of July, 2008.

JOSEPH WELLS; TERRI WELLS; LUKE D.  
VANDER BLEEK; and JOAN L. VANDER  
BLEEK

By: RENO & ZAHM LLP

By: 

Robert A. Fredrickson

RENO & ZAHM LLP  
BY: ROBERT A. FREDRICKSON, #00868469  
JACK D. WARD, #3125783  
MICHAEL J. SCHIRGER, #6290691  
2902 McFarland Road  
Perry Creek Plaza, Suite 400  
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(815) 987-4050

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing document was served upon the following:

Atty. James M. Allen  
Hinshaw & Culbertson, LLP  
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Rockford, IL 61105  
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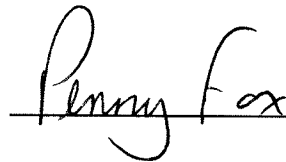
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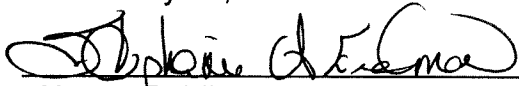
Atty. Steven Balsley  
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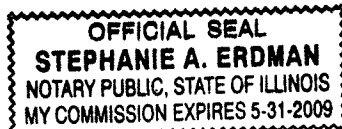
Mr. Roger Colmark  
210 E. 3<sup>rd</sup> Street  
Sterling, IL 61081  
Fax No. 815-626-9268

by facsimile transmission to the above fax numbers, at Rockford, Illinois on July 21, 2008.

  
\_\_\_\_\_

Subscribed and sworn to before  
me on July 21, 2008.

  
\_\_\_\_\_  
Notary Public



ROBERT A. FREDRICKSON, #412  
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